

E1 *SUB* wherein [an] E1 [gene has] genes have been rendered non-functional by deletion, and wherein [an] E2 or E4 [gene has] genes have been rendered non-functional by deletion.

E2 *SUB* 9. (Thrice Amended) An adenovirus according to claim 1, wherein [an] E3 [gene has] genes have been rendered non-functional by deletion.

E3 *SUB* 10. (Thrice Amended) An adenovirus according to claim 9, wherein [an] L5 [gene] has been rendered non-functional by deletion.

E4 *SUB* 13. (Four Times Amended) An adenovirus according to claim 12, wherein the heterologous DNA is a therapeutic gene which encodes a product selected from the group consisting of enzymes, blood proteins, hormones, lymphokines, growth factors, neurotropic factors, apolipoproteins, dystrophin, minidystrophin, tumor [supresser] suppressor genes, and coagulation factors.

E4 *SUB* 21. (Thrice Amended) A cell line according to claim 20, wherein it additionally comprises [the] an E4 gene from an adenovirus.

E5 *SUB* 34. (Thrice Amended) A defective recombinant adenovirus consisting essentially of

ITR sequences,
an encapsulation sequence,
a heterologous DNA sequence, and
all or part of an E2 [gene] region,

SUB wherein the E2 [gene] region or part thereof is the sole adenoviral gene.

SUB 35. (Thrice Amended) A defective recombinant adenovirus consisting essentially of

ITR sequences,
an encapsulation sequence,
a heterologous DNA sequence, and
all or part of an E4 [gene] region,

wherein the E4 [gene] region or part thereof is the sole adenoviral gene.

Please add the following:

--36. A defective recombinant adenovirus comprising
ITR sequences,
an encapsulation sequence, and
a heterologous DNA sequence,

wherein the E4 genes have been rendered non-functional.

37. An adenovirus according to claim 36, wherein the E4 genes have been rendered non-functional by deletion of all or part of the coding region, and/or all or part of the promoter region for E4 transcription.